



## Forced Migration Trends in the Americas

Regional Context Report - Second Semester 2023



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## 1 Introduction

Migration has shaped the history of the Americas. More recently, **forced migration has become more multi-causal and complex** as realities have exacerbated the vulnerabilities faced by refugees, migrants, and forcibly displaced persons in the region. As a result, international protection schemes and other specific State responses face several **challenges that require a rights-based and comprehensive protection approach** to address what we understand as "protection gaps."

According to the latest figures published by UNHCR<sup>1</sup> on the number of forcibly displaced people in the Americas in 2023, an estimated **21.4 million people** are in this situation. Worldwide, an estimated 108.4 million people have been displaced by persecution, conflict, violence, human rights violations, or events that have seriously disrupted public order, according to UNHCR's 2022 Global Trends in Forced Displacement report. Of these, in the Americas, more than 2 in 5 new asylum claims were made by people from Cuba, Nicaragua, and Venezuela. The United States continues to be the country that receives the most asylum applications during the year, with a fourfold increase in the number of applications received in 2022 compared to the previous year.

<sup>1</sup> <https://www.acnur.org/publicaciones/acnur-tendencias-globales-de-desplazamiento-forzado-2022>

In this context, this document aims to highlight some regional trends in the migration process (from territorial approaches in Mexico, Colombia, Venezuela, Ecuador, Peru, Brazil, Bolivia, and the USA), with an emphasis on the people and communities that have been invisible in forced migration in the region, the risks along the migration routes, migration management policies, and their emphasis they put on the militarization, securitization, and externalization of borders; the gray zones that exist in protection policies; the migratory processes of accompanied and unaccompanied children and adolescents; those of indigenous communities; the opportunities for reconciliation and hospitality that migrant and host communities build; and a special chapter on what is happening in the Darien Gap.

## **2 People and communities made invisible in forced migration in the region**

The region is home to various populations in forced migration who require international protection. This section describes populations and nationalities that are in forced migration and about which almost nothing is known. As mentioned in the first bi-annual report,<sup>2</sup> one of the major challenges in the region is to update databases and statistics on these populations.

This is due, on the one hand, to the political will of some governments in the region that do not have specialized statistics on the subject and on the other hand, to the effects of securitization and militarization policies, which, as will be seen below, have increased in the region. These policies lead people to use irregular routes where it is not possible to collect data. This means that **there is little clarity about the numbers of people transiting and/or residing in the countries, making it difficult to take concrete action to protect minority or invisible populations.**

Haitian nationals are one of the invisible populations. An exercise conducted by JRS LAC estimates that **1.7 million people of Haitian nationality** are in a situation of forced migration in the region. People who left Haiti for the first time<sup>3</sup> or were internally displaced due to the escalation of violence in the country<sup>4</sup> were identified this semester. It is important to note that Haitians move with their families, in large numbers, and speak only Creole.

Another population that is rarely discussed is that **of infants, babies born during the migratory journey, who are at risk of statelessness** because they do not have a birth certificate. This may be because the mother is in an area where there is no access to government services for registration, or because the authorities do not want to recognize the baby as a national, even if it is in the territory that - for several countries in the region - gives the right to be national.

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<sup>2</sup> <https://lac.jrs.net/es/noticias/tendencias-de-la-migracion-forzada-en-latinoamerica-y-el-caribe-informe-de-contexto-regional-primer-semestre-2023/>

<sup>3</sup> Para mayor información: <https://www.dw.com/es/eeuu-advierte-aumento-de-vuelos-a-nicaragua-desde-hait%C3%A9D/a-67323550#:~:text=Estados%20Unidos%20expres%C3%B3%20el%20lunes,que%20atraviesa%20la%20naci%C3%B3n%20caribe%C3%B1a.>

<sup>4</sup> Para mayor información: <https://www.iom.int/es/news/las-personas-haitianas-en-situacion-de-desplazamiento-en-asentamientos-improvisados-están-expuestas-mayores-riesgos>

On the other hand, the high level of mobility in the region makes visible many women, men, girls, boys and adolescents, but **older adults who migrate from Venezuela** are not included in the statistics of the countries where they arrive as a result of forced mobility.

The report *"Recomenzar lejos de casa,"* published by the Human Rights Center of the Catholic University of Andrés Bello (2023)<sup>5</sup>, shows that *"elderly Venezuelan migrants are the smallest group of the more than 7.3 million who have migrated, and they are a population that is invisible even in the official statistics of the receiving countries."* In addition, the publication warns of the lack of public policies for the care of this population, which has arrived in countries such as Peru, Spain, Chile, and Colombia, among others; the latter has more than 70 thousand Venezuelan seniors.

In **Bolivia**, the SJM Bolivia team explained that 0.5% of its services are provided to senior citizens, most of whom do not come to the service, as they are left in the care or guarding suitcases and luggage in terminals, streets and squares, while their families look for daily sustenance.

On the other hand, in **Ecuador**, this semester has been marked by **the return of Venezuelan nationals** who were not able to regularize their migratory situation in countries such as Chile or Peru. After the Peruvian government issued expulsion measures against those who do not have a regular migratory status, there has been an increase in the number of Venezuelans arriving at the southern border of Ecuador, either to return to Venezuela or the United States. People returning for the Christmas holidays have also been identified.

Similarly, according to the Tulcán Report (2023)<sup>6</sup> of the Working Group on Refugees and Migrants (GTRM), there has been an increase in the number of **Colombian nationals** entering Ecuador in search of international protection. Most of the people forcibly migrating from Colombian territory are women and ethnic groups, and it is estimated that there are currently 4,587 victims from Colombia in the country.<sup>7</sup> The GTRM report mentions the increase in migratory flows of **Asians, Haitians, and Peruvians** to the north of the region, who cross the country on a transient basis.

Another population that has been made invisible in Ecuador is the **internally displaced**. They have been forced to leave their territories due to the increase in violence and insecurity.<sup>8</sup> Although several cases are known, there are no figures or data on this population, which demonstrates the invisibility they experience.

However, there is an estimate of Ecuadorians who are forcibly migrating to the north of the region. It is estimated that more than 80,000 Ecuadorians have crossed the Darien Gap since 2022.<sup>9</sup> The JRS USA team in El Paso (U.S.-Mexico border) highlight that there are a large number of Ecuadorian nationals at the border attempting to cross, and highlights their vulnerability due to their low income and low level of education.

<sup>5</sup> <https://cdh.ucab.edu.ve/recomenzar-lejos-de-casa/>

<sup>6</sup> <https://www.r4v.info/es/document/gtrm-ecuador-tulcan-informe-operacional-julio-septiembre-2023>

<sup>7</sup> [https://datos.paz.unidadvictimas.gov.co/archivos/datosPaz/boletin\\_datos\\_paz\\_octubre\\_fronteras.pdf](https://datos.paz.unidadvictimas.gov.co/archivos/datosPaz/boletin_datos_paz_octubre_fronteras.pdf)

<sup>8</sup> <https://lac.jrs.net/es/noticias/que-esta-pasando-en-la-frontera-sur-de-colombia-y-norte-de-ecuador/>

<sup>9</sup> <https://www.infobae.com/americas/america-latina/2023/11/20/mas-de-80000-ecuatorianos-han-cruzado-el-darien-desde-2022/>

The number of people forced to migrate due to natural disasters and climate change is also increasing. A recent report by JRS and Encuentros SJM Peru warns that the phenomenon of El Niño will generate this type of migration in the provinces of Guayas and El Oro (Ecuador), where there is a great risk that people will be left with little humanitarian assistance in an emergency situation.<sup>10</sup>

In **Peru**, the current context has been characterized by a mixed migratory flow in which mainly **Venezuelan, Colombian, Ecuadorian and Haitian** migrants and refugees converge (DTM IOM, September 2023). Of these, only 2.9% have requested refuge, in contrast to the 54.7% who do not know what refuge is and the 16.2% who do not know how to apply for it. Of these, 7.5% suffer from a chronic illness, while 182 people suffer from a disability.

In addition, 2.6% of the migrant population are survivors of gender-based violence and 0.5% are LGBTIQ+ persons (DRC-Encuentros, July - October 2023). Therefore, it's worth noting that there is a population with specific protection needs, which requires legal refugee status for adequate attention.

In Bolivia, data show that 0.7% of the population is **LGBTIQ+**, who feel the need to travel with other migrants, creating an economic and emotional dependency. In addition, it has been pointed out that many people decide to hide and disguise their sexual orientation for fear of not being accepted, not receiving support and/or experiencing some form of physical or psychological violence. In Brazil, too, this population is one of the most vulnerable.

The **United States** has been experiencing a high volume of people attempting to enter the country. According to Customs and Border Protection (CBP) officials, approximately **2.4 million people** were apprehended at the U.S.-Mexico border in fiscal year (FY) 2023 (October 2022 - September 2023).<sup>11</sup> The majority of these individuals were from **Mexico, Venezuela, Guatemala, Honduras, and Colombia**.

On the other hand, we are aware of the situation of **Guatemalan indigenous peoples** who continue their flow to the border zone choosing to pay coyotes for entry into the country, as they are more at risk during their journey. In addition, the CBP One application is only available in 5 languages, none of which is their native language, which limits the use of this tool.

An important trend is the growth of the **Chinese immigrant population**. According to CPB, there were 2,176 people registered for the year 2022, while for this year there are more than 24,314 people. In addition, it was noted that most of this population chooses to travel through Ecuador, where they do not need a visa, and then cross the Darien Gap.<sup>12</sup>

In Brazil, more than **7,000 Venezuelan indigenous people**,<sup>13</sup> most of them Warao, have not been given much visibility. They face many difficulties and lack adequate and sustainable public policies. In addition, there is the challenge of having a culturally appropriate approach to accompany this population, which makes it difficult to obtain resources for their integration into the Brazilian society. Brazil also has migrant populations from **Cuba, Colombia, Haiti, India, Syria, Afghanistan and Senegal**, among others<sup>14</sup>, who often do not receive adequate and differentiated care due to the high demand caused by the Venezuelan crisis.

<sup>10</sup> <https://lac.jrs.net/es/noticias/que-esta-pasando-en-la-frontera-sur-de-ecuador-y-norte-de-peru/>

<sup>11</sup> <https://www.cbp.gov/newsroom/stats/nationwide-encounters>

<sup>12</sup> <https://www.cbp.gov/newsroom/stats/nationwide-encounters>

<sup>13</sup> <https://www.nbcnews.com/news/asian-america/chinese-migrants-are-crossing-panamas-jungle-come-us-rcna122790>

<sup>14</sup> Indígenas venezuelanos no Brasil já somam mais de 7 mil pessoas | As Nações Unidas no Brasil

In **Mexico**, there has also been an increase in the number of **Afghan nationals** who report that their journey through Latin America began in Brazil and continued to the United States, mostly through El Darien. The main difficulties reported are those related to communicating (because they do not speak Spanish) and to cultural differences.

Another relevant point is that **Mexico** is one of the countries in the Americas where the number of people in forced migration situations is increasing. In 2023, the Migration Policy Unit estimated that between January and October, 588,626 people were in the country with an irregular migration status. However, it is believed that there is a high level of under-registration of people due to situations of smuggling of migrants.

An example of this is that in Mexico City, in the delegation of Tláhuac (one of the municipalities of the city), there has been an increase in the number of Haitian people who, for the most part, are there temporarily. This creates a challenge for the accompaniment of the population since it is not possible to maintain the processes.

In this country, the persistence and increase of **forced migration of people from Guatemala, El Salvador and Honduras** has also been recognized. However, little is said about their needs. There has also been an increase in **internal displacement in Mexico**. An estimated 300,000 people are expected to be displaced by the beginning of 2023, but there is no clear data on this reality.

In **Colombia, forced internal displacement** continues and is on the rise, despite the fact that this reality is no longer talked about as much. By May 2023, the Ombudsman's Office warned of more than 15,000 people affected by this situation.<sup>15</sup> Although most of these people are Colombians, some migrants have also been displaced, creating a double impact that has not been sufficiently visible. Internal displacement tends to be from rural to urban areas or from one municipality to another. In recent years, due to the reconfiguration of the conflict and the expansion of armed groups, there has been intra-urban displacement, that is, from one neighborhood to another.

**Pendulum migration** continues to be a reality that is rarely addressed. This dynamic can be observed on the border between Venezuela and Colombia, where people cross from Venezuela into Colombian territory for a period to earn an income, then return to their country and stay for another period. Upon arrival, many of these people are in vulnerable situations that require health care and/or education, but there are no clear mechanisms for providing adequate care for this population.

Another reality is transit migration. By 2022, 248,284 migrants had crossed the jungle. Of these, 150,327 were Venezuelans. In 2023, an estimated 400,000 people crossed the jungle during the year, of which 63% were Venezuelan migrants, 11.9% Ecuadorian, 9.8% Haitian, 5.6% Asian, 3.3% Colombian and 1.8% African. Border communities such as Acandí, Juradó, Necoclí, Turbo and Apartadó have been overwhelmed by the arrival of migrants who face difficult living conditions, including lack of food, water and shelter. They are also exposed to violence and exploitation by criminal groups.

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<sup>15</sup> [https://portaldeimigracao.mj.gov.br/images/Obmigra\\_2020/OBMIGRA\\_2023/Ref%C3%BAgio\\_em\\_N%C3%BAmeros/Ref\\_em\\_n%C3%BAmeros\\_-\\_Resumo\\_Executivo\\_.pdf](https://portaldeimigracao.mj.gov.br/images/Obmigra_2020/OBMIGRA_2023/Ref%C3%BAgio_em_N%C3%BAmeros/Ref_em_n%C3%BAmeros_-_Resumo_Executivo_.pdf)



During the year, the Panamanian authorities registered the entry of 71,012 persons,<sup>16</sup> although there is an under-registration since this is not a regular migratory passage in either country. In this regard, binational alerts 001 of 2023 and 014 of 2023 are in force.

Another population of which little is known are the **returnees to Colombia**: as of May 2023, there are 40,901<sup>17</sup> people who, despite having Colombian nationality, by inheritance or because they were born in the country, have not lived in the territory for many years or have never lived there, which has created challenges for their integration.

As for the invisible people in Bolivia, according to the 2021-2023 data and the SJM Bolivia care registry, of the total number of people served, 94% migrate forcibly due to the economic crisis and 3% due to armed conflicts.

In this country, private and public institutions (Ombudsman's Office) are limited to the protection of Venezuelan migrants, leaving out other nationalities. SJM Bolivia is the only institution that provides services and accompaniment to all nationalities without distinction. In this regard, the attention given to the Venezuelan (83%), Colombian (13%), and Argentinean (2%) nationalities has increased, compared to 0.6% in 2021.

### **Militarization and securitization<sup>18</sup> policies at the borders**

Given the diverse realities experienced by refugees, migrants, and forcibly displaced persons in the region, 20 countries of the Americas signed the Declaration of Los Angeles in June 2022 to establish regional agreements for cooperation and migration management. Despite these agreements, migration policies affecting both forced migrants and host and transit communities are based on migration management strategies that are far from a comprehensive protection approach and guarantee of human rights.

Part of the first semester, and especially this second semester, has been marked by **deportations and/or expulsions without due process**. Several countries in the region have been identified as carrying out massive deportations in violation of the right to due process and, in some cases, the principle of non-refoulement.

One example is the deportation of more than 185,000 Haitians from the Dominican Republic,<sup>19</sup> with pregnant women being one of the main groups affected.<sup>20</sup> Other deportations have occurred from Mexico to countries such as El Salvador, Honduras, Cuba and Guatemala;<sup>21</sup> from Panama to Colombia;<sup>22</sup> and from the United States to countries such as Nicaragua,<sup>23</sup> Ecuador,<sup>24</sup> Mexico<sup>25</sup> and, more recently, Venezuela.<sup>26</sup>

<sup>16</sup> <https://www.r4v.info/es/document/gifmm-colombia-factsheet-movimientos-mixtos-en-transito-en-uraba-enero-julio-2022>

<sup>17</sup> <https://2022.dnp.gov.co/DNPN/observatorio-de-migracion/Paginas/Flujos-Migratorios.aspx>

<sup>18</sup> Militarization and securitization refer to policy actions based on the premise that refugees (de facto refugees), migrants, and forcibly displaced persons are a threat to state security. Therefore, actions to address this population may be characterized by the presence of law enforcement, administrative sanctions against the population, and the requirement of numerous documents as conditions for regularizing their migration status (valid passport, criminal records, etc.).

<sup>19</sup> For more information: <https://www.prensa-latina.cu/2023/07/18/mas-de-185-mil-haitianos-deportados-de-dominicana-en-2023>

<sup>20</sup> For more information: <https://news.un.org/es/story/2023/09/1524042>

<sup>21</sup> For more information: <https://www.latimes.com/espanol/mexico/articulo/2023-10-16/mexico-intensifica-deportaciones-de-migrantes-tras-meses-muy-ralentizadas>

<sup>22</sup> For more information: <https://www.laestrella.com.pa/nacional/230603/panama-deportado-42-colombianos-mes>

<sup>23</sup> For more information: <https://confidencial.digital/migrantes/casi-45-890-nicaraguenses-enfrentan-juicios-de-deportacion-en-ee-uu/>

<sup>24</sup> For more information: <https://www.primicias.ec/noticias/sociedad/deportaciones-ecuatorianos-estados-unidos/>

<sup>25</sup> For more information: <https://www.eleconomista.com.mx/politica/Devoluciones-de-mexicanos-en-Estados-Unidos-repuntan-41-en-2023-20230509-0057.html>

<sup>26</sup> For more information: <https://www.vozdeamerica.com/a/llega-venezuela-segundo-vuelo-migrantes-deportados-desde-eeuu/7323931.html>



In light of this reality, JRS in Latin America and the Caribbean and in the United States, together with Encuentros SJM Peru, has issued a call to the United States on the risks of these deportations, as a **regional alert on deportations or expulsions and lack of protection in the Americas**.

The U.S. government has worked with other national governments to begin deporting people from Mexican border cities.<sup>27</sup> In early December, Mexico's National Migration Institute issued Circular No. INM/596/d2023 announcing the suspension of deportation flights to the southern border and other countries due to lack of resources. However, flights are expected to resume in early 2024. In the last semester, there has been an increase in deportations from northern border cities to the southern border in Tapachula and other countries such as Guatemala, El Salvador, Honduras, and Nicaragua.

The United States announced an agreement to work with the government of Panama to provide technical assistance and strengthen policies and programs to deport people who cross the territory and do not meet the requirements established to stay in the Central American country.<sup>28</sup>

Colombia is concerned about the announcements made by the current government, which shows great interest in participating in the program for the "orderly, safe and legal repatriation of Venezuelan citizens,"<sup>29</sup> also known as "return to the homeland," agreed upon between the United States and Venezuela. This is very alarming since Colombia is home to the largest number of Venezuelan citizens who wish to remain in the country; promoting massive deportations without due process could affect the integration of the population in the country and put the lives of those deported at risk.

In this regard, it is important to mention that in **Venezuela** policies to address migration are defined by the police and military entities of the State. This can be seen in border areas, where the presence of these institutions has increased, such as in the Simón Bolívar Bridge and the Tienditas Bridge, causing more people to decide to transit through irregular passages.

The Binational Agreement on Minors between Venezuela and Colombia has begun its implementation on the Colombian-Venezuelan border. This measure may impact unaccompanied children and adolescents in Colombia by violating the principle of non-refoulement, as well as other international agreements for the protection of children, since it is estimated that most minors have had to leave their country for reasons that persist, whether violence, insecurity, hunger or other circumstances that put their lives at risk.

The Venezuelan government's policy considers those who have migrated from the country as "traitors to the homeland"; accordingly, it has been observed that during the reception of people deported from third countries, they are treated with discriminatory acts and speeches that criminalize them.

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<sup>27</sup> <https://www.cnn.com/2023/09/23/us/mexico-us-border-patrol-agreement-migration-surge/index.html>

<sup>28</sup> <https://www.cbsnews.com/news/biden-immigration-officials-panama-migrant-screening-darien-gap/>

<sup>29</sup> <https://www.lasillavacia.com/silla-nacional/con-los-brazos-cerrados-el-giro-de-colombia-a-la-migracion-venezolana/>

Another situation in which policies with a militaristic and securitizing approach have been identified is **the increase in visas for people from Ecuador and Haiti in Mexico and Nicaragua**, respectively, which in some cases has led to migrants being co-opted by smuggling networks to enter these countries.

In **Ecuador**, Ecuadorian citizens were also deported from third countries, indicating that migration in the region is becoming restricted and criminalized. People are being deported from Chile on administrative and criminal charges<sup>30</sup>, a situation that may increase.

The agreements between the U.S. government and the governments of Guatemala, Costa Rica, Colombia and Ecuador to open "Secure Mobility Centers" for people to find and apply for legal ways to enter the U.S. before arriving at the U.S. border also express a securitization and border externalization approach.

In the case of Colombia, the implementation of the Secure Mobility Centers is planned exclusively for Haitian, Venezuelan, and Nicaraguan persons. As warned last semester, these centers can create situations of vulnerability for forced migrants who find themselves in a third country with no guarantees of safety and stability while waiting for the U.S. government to respond.<sup>31</sup>

An example of this is the uncertainty of the people about the procedures, the profiles, the allocation of appointments, the place where they will be located, and the type of counseling that will be offered. This causes people to remain in cities such as Cali, Medellín and Bogotá (where the centers were announced), in many cases in conditions of homelessness, when their vocation is to transit to the United States. In addition, the measure has created an attitude of suspicion among the receiving population, which is considering migrating to the United States and does not have the opportunity to be served by the same centers.

The Secure Mobility Center, located in Ecuador, will accept applications from Cubans, Haitians, Nicaraguans, Venezuelans, and Colombians, provided that they are in Ecuador before October 18, 2023, and are registered in the regularization process or have applied for refugee status before that date.<sup>32</sup> At present, there is great uncertainty among the population because the Mobility Center is not operational and it is not possible to apply online. The situation is similar in Colombia: Ecuadorians cannot file such applications in Ecuador or in any other center in the region, forcing migrants to take more dangerous routes to try to reach the United States.<sup>33</sup>

At the border between Colombia and Ecuador (Rumichaca Bridge), the implementation of the "one-stop" system has begun, to provide "technical and technological solutions to facilitate and speed up the entry and exit of residents and workers of this integrated zone". What is uncertain, however, is the impact that it may have on the south-north flows that cross this border.

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<sup>30</sup> For more information: <https://www.primicias.ec/noticias/sociedad/migrantes-ecuatorianos-expulsion-chile/>

<sup>31</sup> Alertas sobre la Gestión migratoria y la Protección en las Américas (Comunicado) - JRS LAC

<sup>32</sup> <https://movilidadsegura.org/ecuador/>

<sup>33</sup> For more information: <https://ojo-publico.com/4592/se-eleva-el-numero-migrantes-ecuador-y-peru-que-cruzan-el-darien#:~:text=Una%20investigaci%C3%B3n%20de%20OjoP%C3%BAblico%20E2%80%93como,representa%20la%20mitad%20de%20todos>

It is important to keep in mind that, on the Ecuadorian side, due to the increase of violence, insecurity, criminality, and political instability, which were accentuated after the assassination of the presidential candidate Fernando Villavicencio,<sup>34</sup> a State of Emergency was declared for 60 days using Decree 224 of 2023. With this regulation the police are granted expanded powers, increasing security measures in the country. In addition, the Ministerial Agreement No. 0070 of the Ministry of the Interior transfers some immigration control powers to the National Police:<sup>35</sup> control of entry and exit from the national territory, immigration sanctions, verification of immigration status, among others; this may generate situations of criminalization of migrants in an irregular situation.

Something similar is happening in **Peru**, where the Peruvian state has promoted a migration policy based on national security. Between July and August, the government declared a state of emergency<sup>36</sup> in border areas and signed cooperation agreements with Ecuador.<sup>37</sup> These measures are intended to strengthen the control of migration at the border and to prevent international crime (DTM IOM, August 2023).

Although there are still criminal organizations that control human trafficking, migrant smuggling, and drug trafficking networks, there has been an increased police presence at the Tumbes and Tacna border crossings to dismantle them,<sup>38</sup> which has resulted in 180 police agents preventing the irregular entry of refugees and migrants into Peruvian territory (DTM IOM, September 20-23), even though they have no ties to criminal groups. Although there is currently no military presence at the country's borders, as there was in mid-April, there is a national tendency to securitize migration.

**Bolivia** has also followed this approach. An example of this is that the General Directorate of Migrations, faced with the irregular situation of migrants within the framework of state security, carries out coercive migration control and issues administrative resolutions for forced departures (temporary or permanent), warning that these measures may affect the regularization of migration and applying fines for irregular entry into Bolivian territory, through Law 370 of 2013 on migrations and its implementing decree.

Although Bolivia has not implemented a policy of border militarization, the policies implemented by Chile and Peru have had an impact on Bolivian territory, forcing migrants to pass through and/or stay in Bolivia without the necessary means to withstand its climatic conditions, thus affecting their migration project.

In September 2023, the governments of Bolivia and Chile signed a Binational Migration Agreement, which provides for a two-year temporary stay for nationals of both countries to promote regular migration of workers, facilitate commercial exchanges in border areas, and combat transnational organized crime. The agreement is being implemented gradually.

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<sup>34</sup> <https://www.hrw.org/es/news/2023/08/10/ecuador-asesinan-candidato-presidencial>

<sup>35</sup> <https://reliefweb.int/report/ecuador/ecuador-gtrm-huaquillas-reporte-local-julio-septiembre-2023>

<sup>36</sup> <https://www.elperuano.pe/noticia/221219-prorrogan-estado-de-emergencia-en-las-fronteras-para-luchar-contra-la-delincuencia-internacional>

<sup>37</sup> <https://www.elperuano.pe/noticia/221448-peru-y-ecuador-firman-hoy-convenio-para-intercambiar-informacion-migratoria-contra-el-crimen>

<sup>38</sup> <https://andina.pe/agencia/noticia-pnp-inteligencia-vigila-frontera-para-impedir-ingreso-cabecilla-del-tren-aragua-956437.aspx>

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It is worth noting that Bolivia is located in the heart of South America, where 8 of the 9 departments border Brazil, Paraguay, Argentina, Chile and Peru, and is thus transitioning from a country of expulsion or transit to a country of reception. According to statistical data from SJM Bolivia for 2021-2023, 72.8% of the migrant population is in transit, 3.83% are returning migrants, and 20% have the intention of staying in Bolivian territory.

A paradigmatic situation is taking place in **Brazil**, where the policy has adopted a hospitable approach, but its implementation remains under the responsibility of the Brazilian army. The so-called "Operação Acolhida", implemented by the state in 2018 after the massive arrival of Venezuelan migrants, was carried out by the Brazilian Army and fulfills three main functions: 1) border control and regularization of migration, 2) protection, and 3) internalization. While the militarization of the border between Venezuela and Brazil has been maintained, the process of access to the country is not perceived as a securitization strategy, as the access and migration regularization of those arriving in Brazil is carried out almost immediately, with minimal requirements and/or procedures.

On the other side of the region, the **United States** presents a complex situation in terms of immigration policy. For example, in May 2023, Title 42, which was intended to limit the granting of asylum while dealing with the public health emergency presented by COVID-19, expired. It was replaced by the "Circumvention of Legal Pathways" rule, which requires those seeking asylum to first schedule an appointment through the CBP One application to present themselves at a port of entry at the border and be eligible for asylum. However, this is only the beginning of a lengthy process to qualify for asylum. First, they must go through Customs and Border Protection (CBP) screening and obtain parole in the United States to file their asylum application.<sup>39</sup>

There are several difficulties with this new regulation. First, the process is technically flawed and inaccessible due to the high volume of applications, leaving migrants vulnerable in different municipalities in northern Mexico. Second, if they cannot use the application, applicants must prove that they meet certain exceptions or that they have formally applied for asylum in other countries where they were denied, an impossible reality for many people crossing through the region. Finally, migrants who cross the border irregularly face a complex process, as they are likely to be subject to expedited removal even if they apply for asylum, as they must undergo a credible fear interview while in CBP custody. Since the implementation of this policy, the nationalities with the highest number of scheduled appointments are Venezuelans, Mexicans, and Haitians.<sup>40</sup>

In Mexico, another situation that illustrates the existence of a securitized and militarized approach is the continued funding of the National Guard to "defend the borders." Although it was initially described as a civil guard, it is evident that its members have military training, which has led to an approach to refugees, migrants, and displaced persons as if they were a threat. This has led to scenarios of human rights violations, such as checkpoints on public transportation on federal highways, where people are selectively asked for identification based on their appearance and a search that no entity is authorized to conduct.

<sup>39</sup> <https://www.dhs.gov/news/2023/05/11/fact-sheet-circumvention-lawful-pathways-final-rule>

<sup>40</sup> <https://www.cbp.gov/newsroom/national-media-release/cbp-releases-october-2023-monthly-updat>

These policies generate discourses that criminalize forced migration, leading to an increase in acts of xenophobia, discrimination, racism, and aporophobia, expressed through physical and structural violence, as will be identified in the following section.

## 4 Risks in migratory routes in Latin America and the Caribbean

As previously mentioned, the region is home to a diverse population of refugees, migrants, and forcibly displaced persons moving north and south across the continent, and facing a restrictive and securitized response from governments. In this context, we have identified an increase in the risks faced by individuals along their migratory routes. Increased requirements for regular entry, return, or expulsion without due process, as well as other restrictive measures, are forcing individuals to use irregular routes where irregular armed groups predominate and control territory. This chapter presents some of the risks that prevailed on these routes in the second half of 2023.

- **Physical violence:** In Lima, **Peru**, at the beginning of November, there were acts of violence with sticks, knives and other weapons against the Venezuelan population. This occurred in the context of increased extortion of Peruvian individuals, which does not justify violence against foreign populations. Monitoring carried out by Encuentros SJM Peru, in collaboration with the Danish Refugee Council and other organizations, has shown that the most common risks for this population are robbery 25.1%, extortion 10.3%, intimidation 8.5%, violence 7.4%, and gender-based violence 4.1% (DRC-Encuentros, July-October 20 23).

In this regard, the following actors were identified as perpetrating these abuses along the Peruvian migration routes: irregular armed groups, border authorities, as well as transnational groups, and displaced people (DRC-Encuentros, July-October 20-23).

In **Venezuela**, there has been an increase in physical violence and homicides along the route between La Raya and Maracaibo. This is one of the main routes used by people trying to leave the country for Colombia.

There has also been an increase in extortion between Paraguachón and Maracaibo, mostly carried out at checkpoints or roadblocks by police or military forces against nationals and migrants, in some cases for transporting goods and in others for carrying expired documents.

<sup>41</sup>For more information : <https://www.infobae.com/peru/2023/11/01/la-victoria-y-el-agustino-peruano-y-venezolanos-en-guerra-por-extorsiones-que-hay-detras/>

In Bolivia, the SJM team recorded that 2% of the people had suffered physical violence and 10% had been victims of robbery, mostly by so-called "hinchas" (thugs). According to testimonies: *"they get on the trucks and take all our belongings, and if we resist, they throw us off the truck, and they are armed; faced with threats and to avoid physical harm, we hand over our belongings."*

In an exercise conducted by JRS LAC that attempted to survey the Haitian population forcibly migrating through the region, it was found that Panama is one of the countries with higher incidents of violence, mainly robbery, and discrimination. Individuals and the police are the main perpetrators. Colombia is the second country where the most violence is identified. Here, the most common situations are robbery, discrimination, and physical aggression. The main aggressors are coyotes, followed by the police and individuals.

In **Mexico**, in the state of Chiapas, the violence experienced by forced migrants passing through the region has increased. Doctors Without Borders has reported an increase in the number of people seeking assistance due to violence, especially sexual violence.<sup>42</sup> It is alarming to note the findings of a report by Human Rights First, which highlights the extent of this violence experienced by people while waiting for a response from CBP One.<sup>43</sup>

- **Human Trafficking:** In the 2023 Global Organized Crime Index<sup>44</sup>, **Mexico** was identified as the country with the highest human trafficking index in the Americas, followed by **Colombia**, where it usually happens during forced migration journeys undertaken by individuals in those countries.

In Colombia, the main purpose of this crime is the exploitation, especially of women, for sexual purposes (73.6%). Individuals are forced to engage in sexual activities through threats and/or unpayable debts; individuals experiencing forced migration are more vulnerable to this crime.<sup>45</sup>

In 2023, the National Migration Observatory recorded that 20 foreigners were victims of this crime, 12 of whom were recruited under false job opportunities. In addition, data reports that 65% of the victims had only secondary education and 20% had primary education.

<sup>42</sup> <https://www.msf.mx/actualidad/se-recrudece-la-violencia-contra-mujeres-ninos-y-ninas-migrantes-entre-chiapas-y-oaxaca/>

<sup>43</sup> <https://humanrightsfirst.org/library/inhumane-and-counterproductive-asylum-ban-inflicts-mounting-harm/>

<sup>44</sup> <https://globalinitiative.net/wp-content/uploads/2023/09/Global-organized-crime-index-2023-web-compressed-compressed.pdf>

<sup>45</sup> <https://www.vozdeamerica.com/a/entre-los-migrantes-venezolanos-en-colombia-las-mujeres-y-ninas-enfrentan-los-mayores-retos/6803396.html>



During JRS Colombia's participation in the International Seminar on Trafficking and Prostitution of Venezuelan Women in Colombia, it was highlighted that trafficking is highly invisible, as networks such as the "Tren de Aragua" have extensive territorial control, causing women to be afraid to report.

- **Illegal trafficking of migrants:** An investigation by Insight Crime (2023)<sup>46</sup> identified the "Tren de Aragua" as one of the criminal gangs that dominate the networks of illegal migrant smuggling and human trafficking in South America. The report describes how they have managed to co-opt irregular border crossings between countries to control the business of illegal entry of refugees and migrants.

In Ecuador, it has been found that individuals who choose to enter irregularly through the country's southern border provide false information and resort to networks of illegal migrant smugglers to gain entry, as they are afraid to approach the authorities (GTRM).

In **Brazil**, in the northern region, between the border of Roraima and Guyana, and between Manaus and the Amazon, there is an important flow of people of different nationalities (from the Caribbean, sub-Saharan Africa, the Middle East, etc.) who are brought into the country by various coyotes and organized groups. This flow has been constant since the beginning of the year, but recently there has been a decrease in the arrival of certain nationalities and individuals from India.

- **Gender-Based Violence (GBV) and Sexual Violence:** In Mexico, sexual violence against women during migration has increased, with Highway 57 from the southern border to San Luis de Potosí being one of the main risk areas.<sup>47</sup>

In Colombia, GBV has also increased during the year. The Integrated Information System on Gender Violence (SIVIGE),<sup>48</sup> reports cases related to physical violence, sexual violence, psychological violence, neglect, and abandonment. There were 7,085 cases involving Venezuelans, 50 Ecuadorians, 25 Americans, 24 Peruvians, 11 Brazilians, 11 Chileans, 5 Argentinians and 5 Spaniards. 79.6% of these cases involved female victims, and 50.9% involved minors. They mainly occurred in Bogotá, D.C., Antioquia, and Norte de Santander.

<sup>46</sup> <https://insightcrime.org/es/investigaciones/portafolio-criminal-tren-de-aragua-adaptarse-morir/>

<sup>47</sup> Para mayor información: <https://www.zocalo.com.mx/es-la-carretera-57-tramo-mortal-para-migrantes-violaciones-secuestros-y-homicidios-principal/>

<sup>48</sup> <https://www.sispro.gov.co/observatorios/onviolenciasgenero/Paginas/home.aspx>

In Bolivia, many migrant women choose to migrate with others for companionship or to seek a partner during the journey to avoid violence, even if this means enduring psychological abuse along the way. Cases have also been reported in Brazil where refugee and migrant women have been subjected to sexual, physical and psychological violence, resulting in the breakdown of family units. Many of these cases go unreported, sometimes because they are afraid to go to the authorities because of their migration status, and sometimes because they lack the language skills to do so.

- **Recruitment of girls, boys, and adolescents. Colombia :** continues to be affected by the presence of non-state armed groups involved in the armed conflict, such as the National Liberation Army (ELN), the Gaitanista Self-Defense Forces of Colombia (AGC), more than 30 dissident structures of the FARC and the Central High Command, which continues to commit this crime in the areas it controls. According to the COALICO Observatory on Childhood and Armed Conflict, 51 cases of recruitment and enlistment of girls, boys, and adolescents were reported in 2023, affecting at least 112 children. At least 5 children and adolescents were victims of recruitment.<sup>49</sup>

**Ecuador** has also reported an increasing number of minors being recruited by criminal gangs involved in trafficking drugs . Although there are no detailed statistics on cases of recruitment of refugee or migrant minors, there are warnings that this could be a latent risk, which is most likely already present, in areas such as Esmeraldas and Guayaquil, where gang control is increasing and there is a high presence of migrant and refugee populations.

- **Forced disappearance:** According to the IOM's Missing Migrants Project,<sup>51</sup> an estimated 1,104 people have disappeared while migrating through the region as of November 2023. Of this total, the border areas with the highest reported cases are along the border between Mexico and the United States.
- **Kidnapping:** In the province of Esmeraldas, Ecuador, a migrant was kidnapped before receiving humanitarian aid. In Mexico, refugees and forced migrants continue to be kidnapped and displaced. Clear records of the number of people who have experienced these situations of violence are not available because people are afraid to report them and these data are not included in official statistics.<sup>52</sup>

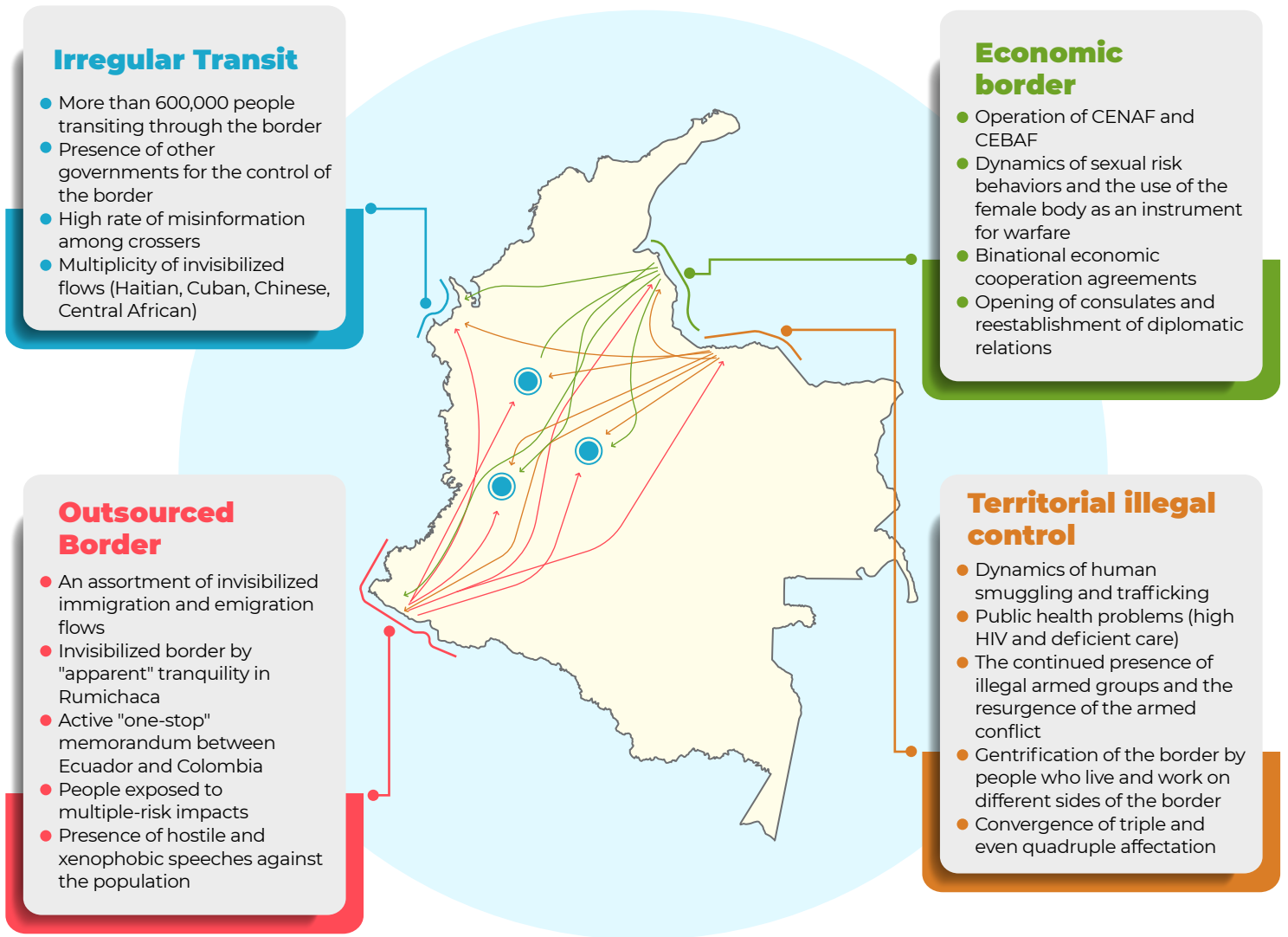
<sup>49</sup> <https://coalico.org/publicaciones/boletin-onca/boletin-de-monitoreo-n-29-ninez-y-conflicto-armado-en-colombia/>

<sup>50</sup> <https://insightcrime.org/es/noticias/crece-reclutamiento-infantil-entre-disputas-control-narcotrafico-guayaquil/>

<sup>51</sup> [https://missingmigrants.iom.int/es/region/las-americas?region\\_incident=All&route=All&year%5B%5D=11681&incident\\_date%5Bmin%5D=&incident\\_date%5Bmax%5D=](https://missingmigrants.iom.int/es/region/las-americas?region_incident=All&route=All&year%5B%5D=11681&incident_date%5Bmin%5D=&incident_date%5Bmax%5D=)

<sup>52</sup> <https://www.vozdeamerica.com/a/el-horror-del-secuestro-de-migrantes-en-mexico/7322515.html>

- **Discrimination, xenophobia, and aporophobia:** In the province of Sucumbíos, Ecuador, there has been an increase in xenophobia in public spaces, workplaces, educational institutions, and housing, which poses a threat to the safety and well-being of the migrant population. Bolivia, where 20% of the population has experienced xenophobic acts, warned of the normalization of these acts as part of everyday life.
- **Institutional violence:** In Ecuador, a case of abuse of power was documented when a family attempting to travel from Lago Agrio to Huaquillas was obstructed by the police without clear justification.
- **Risks at borders:** Borders remain complex territories where different realities converge; therefore, one way to understand the risks of travel is to identify the differences between each border. A JRS Colombia exercise analyzed four border areas, identifying the main gaps and routes between them.



**Map 1.** Main gaps and routes in Colombia. Source: elaborated by JRS Colombia

In conclusion, refugees, migrants and forcibly displaced persons are exposed to situations of double or multiple vulnerability during their displacement, meaning that they are victims of various forms of violence not only at the point of departure, but also during transit and at their destination. It is important to bear in mind that in many cases people who have experienced this violence do not report the incidents, which increases the underreporting and invisibility of both the populations and the risks they face.

An example of this is Colombia, where various cases of double vulnerability have been identified in areas linked to the armed conflict. In this regard, (i) in August, a massive displacement of more than 600 migrants was recorded in the Samaniego area of Nariño (southern zone of the country); However, these people could not be identified by the authorities and their whereabouts remain unknown; (ii) a massive displacement is currently taking place in the Magdalena Medio region (northeastern zone of Colombia), an area with a high presence of migrant populations; and (iii) the Darién region (border with Panama) has traditionally been affected by the armed conflict, so it is assumed that migrants in transit are also experiencing the dynamics of its escalation.

## **5** Gray zones of international protection, immigration regularization and government response

Recognizing the commitments made in the American Convention on Human Rights, the United Nations Charter, the international protocols, and, more recently, the Los Angeles Declaration, the governments of the Americas have committed themselves to implement migration policies for the regularization and international protection of refugees, migrants and displaced persons in the region. However, they have identified the **prioritization of a temporary regularization approach**, in which international protection has taken a back seat.

It is important to highlight some of the **risks and gaps** that these processes have created for refugees, migrants, and forcibly displaced persons:

- The regularization processes have mainly targeted the Venezuelan migrant population, leaving aside other nationalities such as Haitian, Cuban, Ecuadorian, and extra-continental.
- In some cases, regularization strategies **have weakened the refugee system** in the countries of the region, by requiring that claims for international protection be abandoned to carry out migration regularization processes.
- The conditions imposed by states, such as a deadline for having entered the country, the possession of documents such as a valid passport or visa - which are difficult for migrants to obtain - and high costs for visa applications, among others, have weakened the refugee system in the region.
- In countries such as Mexico, Ecuador, and Haiti, there are no policies and/or regulations that recognize the reality of internally displaced persons and establish comprehensive protection mechanisms for attention, reparation, and non-repetition of these situations.

Concerning international protection, 16 countries in the region have incorporated the definition of "refugee" in the Cartagena Declaration, expanding the grounds of the Geneva Convention for the consideration of refugee claims; nevertheless, it has been observed that people seeking refuge in the countries of the region face **legal, temporary, political and social obstacles that do not allow international protection to be an accessible tool for the guarantee and protection of rights**. In addition, countries such as the United States do not have such an extension in their definition, which reduces the number of cases that can be accepted at the time of requesting asylum in that country.

On the other hand, a major challenge in the region is the protection of people who have been forcibly displaced inside or outside their countries due to **natural disasters and/or climate change**. These situations mostly affect the most vulnerable people, as Leah Thomas (2022) argues, since they are located in the most marginalized areas of the territories where the risks of natural disasters are greatest.<sup>53</sup>

In the case of **Peru**, the Refugee Law provides that international protection can be requested through the 1951 Convention of Geneva and the 1984 Declaration of Cartagena. In practice, although both are applied, recognition processes with the Geneva's Convention profile predominate. Recognitions under the Cartagena's declaration profile are prioritized in situations of serious protection risks, such as health situations, among others.

In this context, the government created a temporary residence permit, especially for Venezuelan nationals who entered the country before May 10, 2023. Those who arrived after that date and do not meet the profile of the 1951 Convention, nor are they in a situation of vulnerability, **do not have the alternative of regularizing their migratory status, thus generating a large number of people in an irregular migratory situation**. Another protection gap was created by Decree-Law No. 1582,<sup>54</sup> which reduced the time limit for expulsion procedures to 48 hours, increasing the risks that people face when they are returned to their countries.

In **Ecuador**, despite the approval of the Law for the Regularization of Migratory Status in 2022, which aims to provide a comprehensive solution to people who are in a situation of human mobility in the territory, there are still challenges in accessing migratory regularization, especially because of the requirement to present valid documents from the country of origin,<sup>55</sup> which is impossible for those who have to flee in a forced manner. The majority of refugees and forced migrants in Ecuador are concentrated in the provinces of Pichincha, Guayas, Manabí and the northern border.

In addition to the journey required to reach the U.S.-Mexico border zone, there is the challenge of obtaining **asylum status**. According to recent statistics, 49 percent of represented asylum seekers were granted asylum status in the U.S. in fiscal year 2022, compared to only 18 percent of unrepresented asylum seekers.<sup>56</sup> However, it is difficult for asylum-seekers to obtain legal representation because, as they are not citizens, the government is not obliged to provide them with a public defender. In addition, access to legal representation is costly and a privilege for only a few: those who can afford it or those who can receive assistance from a non-profit organization that provides free legal services.

<sup>53</sup> <https://robuenosaires.iom.int/es/news/migrantes-ambientales-el-rostro-humano-del-cambio-climatico-en-america-del-sur>

<sup>54</sup> <https://elcomercio.pe/peru/rapida-expulsion-de-extranjeros-en-situacion-irregular-y-la-situacion-de-mas-200-mil-venezolanos-que-solicitan-ser-refugiados-todo-sobre-los-nuevos-cambios-en-la-politica-de-control-migratorio-informe-migraciones-decreto-legislativo-1582-proceso-administrativo-expulsion-venezolanos-venezuela-permiso-de-permanencia-noticia/>

<sup>55</sup> <https://data.unhcr.org/en/documents/details/104341>

<sup>56</sup> <https://trac.syr.edu/reports/703/>



Having representation is only a first step; **another challenge is proving the need for international protection in the asylum claim.** By fiscal year 2022 only 46% of these applications were granted.<sup>57</sup> Individuals seeking international protection must demonstrate before an immigration judge their situation of persecution whether for political, religious or racial reasons. It is important to highlight that -under the Trump administration- those asylum applications with reasons of domestic or gang violence were severely limited; however, the latter were relaxed by the Biden administration since January 2021.

The U.S. government has created an extraordinary measure called "**humanitarian parole**,"<sup>58</sup> which does not provide a form of legal or permanent residency, nor a process for applying for citizenship, but a temporary permit for a humanitarian purpose or for reasons of high public benefit. This measure exists only for certain nationalities and implies a series of requirements, such as the existence of a person(s) or entity willing to economically support the beneficiary during his/her stay in the country; the provision of evidence of the reason for which the parole is required and the attachment of evidence that must be translated into English with its translation certificate for texts in other languages. These types of measures do not recognize the realities of the Haitian, Venezuelan, Nicaraguan, Cuban and Central American people who have had to flee their territories.

In **Mexico**, international protection is regulated by the Law on Refugees, Complementary Protection, and Political Asylum, which recognizes the definition of refuge for persons in the territory, both by the 1951 Geneva Convention and the 1984 Cartagena Declaration. This shows that the regulations are broad to understand the causes that force people to leave their territory.

**In practice, there has been little recognition of refugee status.** The circumstances that allow us to understand this are: (1) there is a high number of people who enter the territory with no intention of settling there but rather come to seek asylum in the United States; (2) the low response capacity of COMAR to process the applications submitted within the time established by law; (3) the low recognition of the contexts experienced by countries such as Cuba, Venezuela, Nicaragua, and Haiti that have forced people to leave their country; (4) during the application process, people have to stay in the same state where they started the process, ignoring that -in many cases- people do not manage to get some form of income that allows them to stay, or that due to violence and threats they have to continue their journey, which means that the process is canceled.

The Migration Act also provides for the issuance of the **Humanitarian Visitor's Card**, which is granted to persons who are in the process of requesting refuge, as well as to persons who have been aggrieved, victims or witnesses of a crime committed in the national territory, or to migrant children or adolescents, by article 74 of the aforementioned Act. Although this document is free of charge, its delivery is discretionary: in many cases, it depends on the official dealing with the case.

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<sup>57</sup> <https://trac.syr.edu/reports/703/#:~:text=In%20Recent%20Months%20Asylum%20Grant%20Rates%20Appear%20to%20Have%20Declined&text=In%20this%20most%20recent%20month,2022%2C%20grant%20rates%20appear%20down>

<sup>58</sup> [https://www.uscis.gov/humanitarian/humanitarian\\_parole](https://www.uscis.gov/humanitarian/humanitarian_parole)

<sup>59</sup> <https://www.diputados.gob.mx/LeyesBiblio/pdf/LRPCAP.pdf>

In addition to refuge, there is **complementary protection**, which is granted in extreme cases where it is proven that a person's life is in danger, but does not apply to the request for refuge. This mechanism has been little used and recognized in the country.

Recently, the Temporary Program for the Regularization of Migration - PTRM (not yet official) has been proposed in the Citizens' Council of the INM, which could benefit people who have settled in the country within one year from the date the program comes into force, and thus could regularize their migratory status with this temporary benefit. In this scenario, one of the main difficulties identified has to do with the requirements to apply for this process: the cost would be 11,000 Mexican pesos (approximately \$644) to prove that they are established in the country through work or residence, among other things. This reduces the number of people who have access to this temporary program.

It is important to take into account that people seeking to reach the U.S. border to initiate the asylum application process through CBP One experience a series of violence on their journey through Mexico. It has been identified that some immigration agents do not recognize the document where the CBP One appointment is registered. To enter the application in Mexico, there is a territorial restriction that does not allow the application to work if it is not near the border, which makes it difficult to start the process.

In this context, the majority of refugees and forced migrants in Mexican territory do not have protection mechanisms that respond to their migratory needs and projects which increases their vulnerability and the risks they may face during their transit or stay in the country.

In Brazil, announcements have been made in favor of recognizing Haitian nationals as refugees. In addition, the government has taken measures to allow these people - or stateless persons living in Haiti - to stay temporarily on humanitarian visas<sup>60</sup> or to apply for family reunification.<sup>61</sup>

In **Bolivia**, the Refugee Law 251 of 2012, which provides protection to refugees, is implemented through the National Refugee Council - CONARE, which does not have offices at the border, where most of the population in need of international protection arrives. This means that the application and documentation must be submitted to the government headquarters in the department of La Paz. In addition, the refugee application must be documented with evidence, which places the burden of proof on those who have been forced to flee their country. In the absence of proof, people are rejected and sent to the migration offices for other **regularization alternatives**.

One of the main challenges faced by refugees and forced migrants in the country is the lack of a regularization mechanism for those who do not have the necessary documents to apply for a visa or refugee status. Although between August 2021 and 2022 there was a Supreme Decree 4576 for the regularization of the migration of foreigners who entered and stayed irregularly in Bolivian territory, this decree was issued on an exceptional basis due to the closure of the border by COVID-19.

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<sup>60</sup> [https://portaldeimigracao.mj.gov.br/images/portarias/2023/PORTARIA\\_INTERMINISTERIAL\\_MJSP.MRE\\_N%C2%BA\\_37\\_DE\\_30\\_DE\\_MAR%C3%87O\\_DE\\_2023.pdf](https://portaldeimigracao.mj.gov.br/images/portarias/2023/PORTARIA_INTERMINISTERIAL_MJSP.MRE_N%C2%BA_37_DE_30_DE_MAR%C3%87O_DE_2023.pdf)

<sup>61</sup> <https://www.in.gov.br/en/web/dou/-/portaria-interministerial-mjsp/mre-n-38-de-10-de-abril-de-2023-476019847>

In **Venezuela**, the National Commission for Refugees (CONARE) has **increasingly rejected refugee applications from Cuban nationals**. The main argument is that they "do not fit the profile" to access the process of recognition of refugee status, despite the fact that these people can demonstrate the persecution they have experienced in their country of origin.

As with other forms of regularization, there are no special mechanisms for those who do not have all the documents required for a visa. With **the restoration of diplomatic relations between Venezuela and Colombia** in the second semester of 2023, the Colombian consulate was reopened, facilitating access to documents for migrants in the country.

In **Colombia**, there is a warning that as of May 1, 2023, a **new format for refugee applications** has been introduced, exclusively in writing and Spanish, which reduces the possibility of institutional advice on its completion and constitutes an obstacle for people to be able to make this request in a simple and timely manner. Furthermore, since the right to refuge is not regulated by law, there are gaps in its application. An example of this is that those Venezuelan migrants who want to apply for temporary protection status must renounce their refugee application, even though they need international protection measures. These situations and protection gaps regarding the right to refuge in Colombia for Venezuelans have been analyzed and documented by JRS Colombia and JRS LAC.<sup>62</sup>

## **Guarantee of the rights of refugee, migrant and displaced children and adolescents, especially unaccompanied children and adolescents, and institutional response**

Among the most vulnerable populations during forced migration are children and adolescents, who are more exposed to physical, psychological, and/or cultural violence in departure, transit, and destination countries. According to the latest UNICEF report (2023) "Childhood in Danger",<sup>63</sup> the LAC region has the highest increase in the number of minors who are forced migrants, accompanied or unaccompanied. It is estimated that 25% of the total population on the move are children and adolescents and that **seven out of ten children in a situation of forced migration are under the age of 11**.<sup>64</sup>

This population includes unaccompanied children and adolescents (NNA acronym in Spanish) who, because they are not escorted by their legal guardians, in most cases decide not to contact institutions or organizations for fear of being returned to their country of origin, even though the causes that led to their forced migration still exist, as in the case of Haitian children and adolescents who tried to migrate to the Dominican Republic.<sup>65</sup>

<sup>62</sup> <https://lac.jrs.net/es/noticias/flujo-venezolano-y-derecho-al-refugio-en-colombia/>

<sup>63</sup> <https://www.unicef.org/sites/default/files/2023-09/UNICEF%20Migration%20Child%20Alert%20050923%20ES.pdf>

<sup>64</sup> <https://www.unicef.org/colombia/comunicados-prensa/siete-de-cada-diez-ninos-y-ninas-en-movimiento-en-america-latina-tienen-menos-de-11-anos>

<sup>65</sup> <https://www.unicef.org/colombia/comunicados-prensa/siete-de-cada-diez-ninos-y-ninas-en-movimiento-en-america-latina-tienen-menos-de-11-anos>

In Peru, the main risk factors identified for this population are **malnutrition** (21.5%), **trafficking** (10%), **physical violence** (10%), **abandonment** (9.8%), **discrimination** (8.2%), **bullying** (7.8%) and **sexual violence** (7.7%).

In Venezuela, one of the main obstacles to the protection of the rights of refugee, migrant and displaced children and adolescents is **the lack of access to nationality**. In this country, nationality is acquired by *ius solis*, that is, by birth in the national territory. However, children and adolescents born abroad to Venezuelan parents are entitled to Venezuelan nationality by *ius sanguini*, that is, by blood. If children and adolescents decide to return to Venezuela, they may face difficulties in accessing nationality if they lack knowledge of the requirements for acquiring Venezuelan nationality.

Children and adolescents who do not have access to a nationality may face serious consequences; they may be rejected from school or, in schools where they are subsequently accepted, they may not be issued with an enrolment certificate. They may also have difficulty accessing health care and be more vulnerable to exploitation and discrimination. Another obstacle to the protection of the rights of refugees, migrants, and displaced NNAs in Venezuela is the lack of access to basic services. In the context of forced migration, NNA may face difficulties in accessing education, health care, housing, and food.

A similar situation exists in Bolivia: according to SJM Bolivia, among family groups residing in Bolivian territory, 62% of NNA are irregular and 4% are regular.

The main obstacle is the lack of documentation, such as birth certificates, identity cards, or passports, which NNA may not have, or if they do, their mother and father may not have identity cards or passports and the entry stamp into Bolivian territory, which are the main requirements to initiate the process of temporary residence and obtain a visa that allows access to education and health care.

Regarding the right of children and adolescents to education in **Venezuela and Ecuador**, they may face difficulties in accessing and continuing education due to lack of documentation or irregular migration status, discrimination, xenophobia, lack of resources to purchase materials or uniforms, mobility between territories, staying in shelters that affect the school year, difficulty in transferring students between schools during the school year, limited flexibility for adolescents who are pregnant or already mothers, presence of chronic health conditions that require specialized attention, among others.

In **Peru**, only 55.6% of children and adolescents, refugee and migrants, are currently studying. Some of the most common reasons are the lack of available spaces, the high cost of schooling, and not meeting the requirements of the institutions for enrollment (DRC Encounters, July - October 2023).

In response to this, the Peruvian state aims to guarantee access to education regardless of the student's migratory status. However, in practice, private schools often request a temporary residence permit or a foreigner ID card. Likewise, to obtain a certificate of studies, one must have regular migratory status. Therefore, Encuentros SJM promotes the regularization of minors who are nearing graduation from school.

The increase in violence along the Colombia-Ecuador border greatly affects children and adolescents. On one hand, there has been a rise in the disappearances of teenagers, particularly in San Lorenzo (Esmeraldas) and the Nariño-Tumaco region. On the other hand, the increase in cases of forced recruitment has been accentuated in the area.

Additionally, in Colombia, the latest report from the Observatory of Childhood and Armed Conflict COALICO<sup>66</sup> has identified:

- Forced displacement: 39 events, affecting at least 4,531 NNA.
- Use of NNA (civil-military campaigns) in 33 events, affecting at least 4,199 NNA.
- Attacks and occupation of schools' hospitals and other civilian properties: 34 events, affecting at least 11,977 NNA.
- Violations and infractions against the right to life and personal integrity: 26 events, with at least 31 victims.
- Blockade of supplies and basic services: 16 events, affecting at least 7,919 NNA.
- Violations and infractions against personal freedom: 7 events, with at least 9 NNA victims.
- Violations and infractions against the right to sexual freedom: 4 events, with at least 5 NNA victims.

Regarding this situation, the Ombudsman's Office issued 27 early warnings, which have not been resolved, and 13 of them indicate an imminent risk for this population.

In **Brazil**, education, social assistance, and healthcare are universal and free, guaranteeing access by law to all NNAs regardless of their migratory status. However, there are some implementation difficulties, usually related to language and communication barriers.

Concerning unaccompanied children in Brazil, there is a public system for the guardianship and custody of these children until they reach the age of majority. The main challenges in this regard are the lack of resources to provide more individualized support to these minors and a continuous strategy to facilitate their transition to adulthood.

In contrast, unaccompanied minors arriving in the **United States** face difficulties in terms of **government custody, sponsorship, and legal proceedings**.

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<sup>66</sup> <https://coalico.org/publicaciones/boletin-onca/boletin-de-monitoreo-n-29-ninez-y-conflicto-armado-en-colombia/>

In Fiscal Year 2023 (October 2022 - September 2023), CBP encountered 137,275 unaccompanied minors at the Mexico-U.S. border.<sup>67</sup> In these cases, the Office of Refugee Resettlement (ORR) takes custody of the minor, providing food and medical care until they are released to sponsors, who are often family members and undergo background checks.<sup>68</sup> After that, the unaccompanied minors and their sponsors must still appear before Immigration and Customs Enforcement (ICE) in the event of deportation or voluntary departure. As discussed in the previous section, as non-citizens, they are not guaranteed the right to legal representation<sup>69</sup> and it is up to the sponsor to provide it if necessary. Nonprofit organizations provide free legal representation for minors in immigration proceedings, but they are not available in all states.

In **Mexico**, the National System for the Integral Development of the Family (SNDIF-DIF) is the institution in charge of protecting the rights of refugees and displaced minors in the country. Following the reform of the Immigration and Refugee Law for Children in 2020, it was empowered not to place unaccompanied minors and their families in immigration detention centers, but to create spaces where this population can receive comprehensive assistance and protection.

In 2023, at the insistence of non-governmental organizations, information was obtained about the facilities of the Social Assistance Centers (CAS) where minors are cared for: many of them are not suitable for the population. Furthermore, according to a report by the Mexican Attorney General's Office,<sup>70</sup> a network of corruption has been identified in which officials of the Office for the Protection of Children and Adolescents (PPNNA) demand payments from the families of minors to carry out protection or other asylum procedures in the United States. It has been pointed out that the government has obstructed the verification and accompaniment by NGOs of the minors who enter these centers, in some cases due to various complaints made by these organizations about the violations suffered by the minors.<sup>71</sup>

## **7 Guarantee of human rights to cross-border indigenous peoples**

The Americas region has made progress in protecting the rights of indigenous communities; however, it is important to recognize that the **boundaries established by States limit the understanding of trans-boundary indigenous peoples**, who have different ways of relating to them due to their history and ancestral presence in the territories.<sup>72</sup> This section outlines some of the challenges in guaranteeing and protecting the rights of these peoples.

One difficulty is the lack of political, legal, and social recognition of their presence at the borders, where they have the right to be recognized for their bi- or multiple nationality, depending on the situation. This is the key to understanding their movements in cases of forced migration: when they leave their territories due to violence by illegal armed groups, natural disasters, and oil exploitation, among other situations, they do not receive a

<sup>67</sup> <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

<sup>68</sup> <https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-state>

<sup>69</sup> <https://www.vera.org/news/no-child-should-appear-in-immigration-court-alone>

<sup>70</sup> <https://www.gob.mx/difnacional/articulos/denuncia-pfppna-ante-oic-y-fgr-caso-de-presunta-extorsion-a-madre-salvadorena>

<sup>71</sup> <https://www.animalpolitico.com/ninez-migrante-promesas-papel>

<sup>72</sup> <https://www.territorioindigenaygobernanza.com/web/pueblos-transfronterizos/#:~:text=Los%20Kichwa%20en%20la%20frontera,entre%20Panam%C3%A1%20y%20Costa%20Rica.>



contextualized response that recognizes their ethnic identity, through positive public policies or actions of international cooperation.

Brazil is one of the countries that does not recognize peoples who ancestrally cross borders established by countries. Access to public services in border areas (such as Foz de Iguazú) is hampered by the fact that public resources are distributed based on the population registered in the municipality and not based on actual needs, which means that some services are not available in these areas. An important need is the **hiring of cultural mediators and/or translators' sensitive to these indigenous groups**. Similar difficulties are faced by indigenous peoples trying to reach the United States: during their journey, they encounter discrimination due to linguistic and cultural differences along the way.

In this context, **the Mayan indigenous population** (located in the southern border region of Mexico) arrived in the country in the 1980s seeking international protection due to the violence they were experiencing in Guatemala (Nolin Hanlon, C. L. & Lovell, W. G., 2000). International protection procedures were not clear, and the government did not promote processes to facilitate the naturalization of the population. At the time, much of the population did not speak Spanish, and the government did not provide translation services to facilitate their integration.

Today, this community is located in the Chiapas jungle, near the town of Comitán de Domínguez, where much of the population is **stateless** because second and third-generation families who arrived in the 1980s have not been able to naturalize. This is one of the challenges faced by various indigenous peoples who are not recognized and face greater obstacles in institutions due to language barriers.

In **Ecuador**, indigenous communities in frontier areas face a convergence of challenges ranging from **environmental issues** to **threats to their security and well-being**. Environmental pollution the **health** of the population and their **spiritual connection to the land** by violating sacred sites. The presence of armed groups and mines creates a dangerous environment, while limited **access to basic services** hinders their development and quality of life.

In addition, exposure to practices associated with informal mining and drug trafficking - such as drug abuse and forced recruitment - exacerbates the vulnerability of these communities. The lack of institutional recognition and international litigation, such as the Texaco case, highlights the lack of government support and the complexity of their legal struggles.

According to the early warning issued by the **Colombian** Ombudsman's Office, there is a possibility of massive displacement of the Awá community located on the Colombian side of the border with Ecuador.<sup>73</sup> These findings, along with others related to indigenous communities in Colombia, Ecuador, and Peru, can be further explored on the microsite **Vidas y territorios en movimiento**.

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<sup>73</sup> <https://datos.paz.unidadvictimas.gov.co/boletines/>

In Bolivia, the report details how indigenous peoples have traditionally migrated to neighboring countries or departmental capitals. Although the state recognizes their rights as indigenous peoples, it has not ensured a greater presence with services in border communities, where only elderly people remain. In the border areas with the highest migratory flows, the inhabitants of small towns have sought a livelihood by working as guides for migrants or by smuggling products.

The border between the United States and Mexico has also divided indigenous peoples living in the border region. For example, the Tohono O'odham Nation is located 62 miles from the U.S.-Mexico border in Arizona, and its members often travel to the Mexican side of the border to visit relatives, visit cemeteries, and practice religious ceremonies.<sup>74</sup> This proximity to the border implies frequent interaction with U.S. border authorities, as community members must pass through border checkpoints to enter and leave the reservation. Due to the presence of Border Patrol agents controlling migration on Tohono O'odham Nation lands, situations have been reported that have led to homicides, such as the murder of a Native American in the desert near the border in May 2023.<sup>75</sup>

## **8 Opportunities for reconciliation and hospitality**

There are both bright and dark spots in the regional panorama of refugees, migrants, and forcibly displaced persons. In the face of enormous challenges in the region, there are opportunities to create sustainable and comprehensive protection strategies. One JRS strategy focuses on processes of reconciliation and hospitality to "restore just relationships" between individuals and communities fragmented by various forms of violence. Violence is a cause, an effect, and a constant in forced migration processes. Violence is both a cause, an effect, and a constant in forced migration processes. In this context, promoting a culture of hospitality and welcome is fundamental to healing, rebuilding, and restoring the bonds that have been broken in contexts of forced human mobility.

During the second semester of 2023, the Jesuit Refugee Service in Latin America and the Caribbean (JRS LAC) and the Jesuit Network with Migrants (RJM LAC) organized **the regional meeting "Seeds of Reconciliation and Hospitality for Comprehensive Protection"**<sup>76</sup> with the aim of "developing common meanings of the relationships between hospitality and reconciliation from territorial accompaniment practices for the definition of actions and processes of comprehensive protection of individuals and communities in the context of forced mobility". This led to the identification of six actions which, for JRS, are some of the "possible next steps" towards a common horizon of action in which comprehensive protection and reconciliation enable refugees, migrants and forcibly displaced persons to enjoy all their rights, to integrate, to participate and to live with dignity anywhere in the region. This chapter presents concrete examples of these initiatives in the Americas.

<sup>74</sup> <https://www.nytimes.com/2023/08/07/us/border-patrol-killing-raymond-mattia.html>

<sup>75</sup> <https://www.nytimes.com/2023/05/22/us/arizona-tribe-member-shooting-border.html>

<sup>76</sup> <https://www.redjesuitaconmigranteslac.org/encuentro-reconciliacion-hospitalidad>

From the local offices of the JRS in Venezuela, efforts are focused on sensitizing state institutions (Ombudsman's Office, Protection Councils, hospitals, security agencies, and civil registries) and communities, where workshops or training sessions are held on topics such as migration and informed and safe mobility, international refugee law and gender-based violence. These spaces work from the cross-cutting axis of Ignatian spirituality, linking institutional work and community leadership, based on the recognition of the other and the importance of reconciliation and hospitality. To learn more about these and other reconciliation experiences in the region, visit the **Reconciliaciones** microsite:

Meanwhile, JRS Ecuador is using significant opportunities to promote reconciliation and hospitality in the territory through its territorial teams. These teams work to strengthen community relations, networks, alliances, and processes that allow for the construction of dignified relationships between the mobile population and the host communities.

Reconciliation materializes through initiatives like **Citizenship School** and participatory community programs led by the Base Organizations Strengthening Area. These initiatives aim to empower the affected groups to become protagonists of their own change and life projects. Likewise, the Livelihoods Area accompanies building a new life in the host country through professional courses and the distribution of inputs that enable individuals to maintain a dignified work in interaction and integration with the community.

**Sorority groups** involving women in situations of mobility and host communities play an important role through regular participation in shared spaces of mutual care, therapy, and empowerment. In addition, advocacy and communication initiatives are carried out with a focus on education. Awareness-raising workshops for institutions, politicians, and private organizations, as well as collaborations with consulates and legal and social institutions, strengthen the work of JRS Ecuador in promoting positive changes in the community and education.

**In Peru**, reconciliation and hospitality initiatives with migrants and refugees revolve around durable solutions coordinated with UNHCR. These solutions include local integration, voluntary repatriation, and resettlement in a third country, to allow individuals to rebuild their lives and no longer require international protection (UNHCR, 2023).

According to UNHCR, 286 departures from Peru have been facilitated through the resettlement program this year. From July to October, 478 cases were referred by Encuentros SJM to UNHCR to assess their eligibility for the program. Similarly, dialogues have been held with JRS Colombia to develop integration strategies for both the Peruvian and Colombian host populations.

In **Brazil**, there are various initiatives related to hospitality. Firstly, Hospitality and Peace activities are being developed within a community education initiative, fostering encounters between the local population and migrant and refugee populations. Additionally, some offices are implementing Portuguese language courses focused on facilitating integration into local communities and improving communication skills. There are projects promoting peaceful coexistence within communities and neighborhoods with a high percentage of migrant and refugee populations. These initiatives promote recognition between both communities.

In Bolivia, a major initiative is the Triple Border Mission, which has been reactivated in 2022 and 2023 to rebuild relationships fragmented since the Pacific War. This collaborative mission between SJM Bolivia, SJM Chile, and Encuentros SJM Peru aims to influence how the triple border receives refugees and forced migrants. In addition, SJM Bolivia has continued one of the pillars of the Triple Border Mission, Youth Breaking Borders, which has trained youth leaders in a culture of peace. This program has trained over a thousand young people in Bolivia who are now agents of change in their communities.

In terms of work in the **United States**, the JRS USA team operates in the states of Texas and New Mexico, in the counties of El Paso and Las Cruces, respectively. Services are focused on newly arrived immigrant populations, providing psychosocial and health support at various shelters in these counties. In addition, private group and individual sessions are provided to assist with emotional management and to identify individuals who may need extended support (by phone or by identifying other appropriate places to serve them in their destination city).

In addition, the JRS USA team provides information sessions on various legal processes, explains required documents, and clarifies any other questions. They also assist families and individuals during their stay in El Paso, whether it is taking them to the airport or helping them access clothing. Finally, the team seeks to create a network of volunteers who can assist with these various tasks: this support is crucial to providing a sense of hospitality and support during their journey.

## **9 Special Chapter: The Darién Gap**

Due to the multiple risks, vulnerabilities, and violence that people face, the border between Panama and Colombia has become one of the most complex and dangerous areas for refugees, migrants, and forcibly displaced people. This has been reported by organizations such as Human Rights Watch,<sup>77</sup> UNHCR,<sup>78</sup> and Médecins Sans Frontières,<sup>79</sup> and covered by media outlets such as The New York Times,<sup>80</sup> El Espectador,<sup>81</sup> and El País.<sup>82</sup>

One of the greatest challenges there is, is the **limited information available on the number of people crossing the area, their needs, and their characteristics**. This is partly due to the routes controlled by the Gulf Clan and other criminal organizations operating in the area. However, the Panamanian Migration Service has made several efforts to estimate the number of people who enter irregularly through this border.

<sup>77</sup> <https://www.hrw.org/es/news/2023/11/09/americas-abusos-contra-migrantes-en-el-tapon-del-darien>

<sup>78</sup> <https://www.acnur.org/sites/default/files/2023-04/14004.pdf>

<sup>79</sup> <https://www.msf.org/co/actualidad/selva-del-darien-medicos-sin-fronteras-alerta-por-la-insuficiente-respuesta-ante-el-incremento-de-migrantes/>

<sup>80</sup> <https://www.nytimes.com/es/2023/09/14/espanol/darien-cruzar-colombia-panama.html>

<sup>81</sup> <https://www.elespectador.com/colombia/mas-regiones/robos-amenazas-y-abusos-los-testimonios-de-las-victimas-en-el-darien/>

<sup>82</sup> <https://elpais.com/america-colombia/2023-11-09/el-paso-de-migrantes-por-la-selva-del-darien-rompe-todos-los-records-bajo-el-dominio-del-clan-del-golfo.html>

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Between January and October 2023, it is estimated that 458,228 individuals have transited through the Darien region,<sup>83</sup> representing an increase of 117% compared to the previous year during the same months. Venezuelan nationals continue to represent the largest number of people who transit through this area, followed by Ecuadorian and Haitian nationals, each with a 237% increase between 2022 and 2023. Other nationalities identified include **China, Colombia, Chile (children of Haitian nationals), Afghanistan, Peru, Brazil, India, Nepal, and Cameroon, among others**.

According to the report on the situation in Darien published by JRS Colombia,<sup>84</sup> the region of Uraba, located between the departments of Chocó and Antioquia, has historically been an **area affected by armed conflict and violence**. In 2023, the situation in this region is complex for two reasons: (i) the escalation of violence by armed groups and the presence of criminal groups, and (ii) the increase in refugees, migrants, and forcibly displaced people through the migration corridor of the Darien Jungle, which serves as a transit point for those seeking to reach the United States. Both situations have led to increased levels of violence, forced displacement, imprisonment, killings, and sexual violence in the region, which may be due to disputes between armed and criminal groups over territorial control.

Regarding human trafficking, new recruitment modalities have been identified, directly related to shipwrecks, as evidenced in the recent case of 38 people missing on the San Andrés route.<sup>85</sup> In addition to this, there is a lack of attention protocols from Colombian and Panamanian Migrants due to the absence of formal complaints in this regard.

On the other hand, there is evidence of a differentiated absence of the State in the territory, which contributes to the persistence **of victimizing events stemming from the armed conflict**, without receiving an adequate and effective response from the State authorities. The Unit for Comprehensive Attention and Reparation to Victims (UARIV) has recorded in its databases that during the year 2023 (until 31 August), affected persons in the region of Uraba reported various victimizing events: forced displacement (29.83%), threats (22.57%), imprisonment (12.55%), homicide (7.58%), loss of movable or immovable property (6.16%), crimes against sexual integrity (4.81%), forced disappearance (2.92%), and other events such as kidnapping, assault, and terrorist acts (remaining percentage).

In addition, during the year 2023, the Ombudsman's Office reported three early warnings on the situation in Urabá, specifically in the department of Chocó. Among them, Alerts 019-23 highlight the existing risk scenario on the Colombian-Panamanian border, caused by the armed conflict and the activities of organized crime, which affects the population in forced migration and represents a serious threat to the human rights of the civilian population living in the area.

<sup>83</sup> [https://www.migracion.gob.pa/images/img2023/pdf/TRANSITO\\_IRREGULAR\\_POR\\_DARIEN\\_OCTUBRE%202023.pdf](https://www.migracion.gob.pa/images/img2023/pdf/TRANSITO_IRREGULAR_POR_DARIEN_OCTUBRE%202023.pdf)

<sup>84</sup> <https://col.jrs.net/wp-content/uploads/sites/14/2024/01/Reporte-Uraba-2023.pdf>

<sup>85</sup> <https://www.france24.com/es/minuto-a-minuto/20231123-naufragio-o-trata-de-migrantes-venezolanos-desaparecen-en-ruta-de-san-andr%C3%A9s>



So far, measures to address the migration crisis in Uraba have been taken at the departmental and municipal levels. For example, the government of Antioquia has convened a Commission for the Management of Migration Governance in the department, where, according to the GIFMM report, the construction of the care proposal called "Darién Gap Strategic Corridor" is proposed. The Chocó government, on the other hand, has held meetings of the Coordination Table for Migration Affairs of the Department of Chocó. However, these measures have not been sufficient to manage the migration situation in Urabá, as a coordinated regional effort is needed to address the challenges it presents.

On the **Panamanian side**, the government has established **Temporary Reception Migration Stations (ETRM)**, where refugees and migrants are registered by the National Migration Service (SNM) and their luggage is checked by military authorities.<sup>86</sup> **These stations cannot accommodate all the people passing through the area**, which in many cases exposes individuals to illegal migrant smuggling networks and human trafficking. Another measure developed by the Panamanian government in coordination with Costa Rica is **transportation through both countries to Nicaragua**. This program is not free, and many people have experienced degrading situations at bus terminals.<sup>87</sup>

One of the greatest challenges is **the lack of coordination between the governments of Colombia and Panama**, which has resulted in isolated responses to the magnitude of this reality.<sup>88</sup> In addition, there has been **an increase in the securitization approach, with recent agreements between Panama and the United States** -mentioned in previous chapters- aimed at strengthening deportation measures.

The situation in the Darién Gap is extremely complex. Therefore, we call for regional responses that focus on informed, accompanied, and protected migration that puts people and their rights at the center. Grounding regional responses in welcome, hospitality and reconciliation is an alternative to the securitized approach of current migration management.

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<sup>86</sup> <https://www.msf.org.co/actualidad/ruta-migratoria-darién-todo-lo-que-debes-saber/#:~:text=Las%20Estaciones%20Temporales%20de%20Recepci%C3%B3n,equipajes%2C%20revisados%20por%20autoridades%20militares>

<sup>87</sup> <https://www.nytimes.com/es/2023/11/08/espanol/costa-rica-panama-autobuses-estados-unidos.html>

<sup>88</sup> <https://www.elespectador.com/mundo/america/entre-colombia-y-panama-hay-desconfianza-institucional-y-eso-afecta-la-migracion-noticias-de-hoy/>



## 10 Publications on the regional context and each country:

The following published documents are available to learn more about regional and country realities,

### Colombia:

1. Report on the situation in Uraba
2. Situation report on Norte de Santander: The border beyond trade
3. Report on the situation in Buenaventura
4. Updates on the refugee application in Colombia
5. People in international forced human mobility and victims of the international armed conflict: an analysis of the double impact in the Colombian context
6. Venezuelan flow and right to Refuge in Colombia

### Ecuador:

1. R4V Report on Movements: Third Quarter 2023
2. Huaquillas GTRM Border Monitoring Report
3. Carchi GTRM Border Monitoring Report

### Colombia and Ecuador:

1. ¿What is happening on the southern border of Colombia and northern Ecuador?

### Ecuador and Peru:

1. ¿What is happening on the southern border of Ecuador and northern Peru?

### Peru, Bolivia and Chile:

1. ¿What is happening on the Peru, Bolivia and Chile border? Tri National humanitarian monitoring 2023

### Mexico and Estados Unidos:

1. Report on border conditions in the region of El Paso and Ciudad Juarez region

### Mexico:

1. Search guide for missing migrants
2. Protection monitoring: Mexico

### Latin America and the caribbean:

1. Lives and territories in motion
2. Jesuit Network with Migrants -LAC. (2023). Migration and refuge: A dead end? Realities, perspectives and challenges for supporting populations in contexts of forced mobility (A. Olayo-Méndez, SJ, L. Bolívar, & M. Rodríguez

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